



Patent
Attorney Docket No. 034100-002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Yoshihiro Nakao et al.

Application No.: 10/791,791

Filing Date: March 4, 2004

Title: SCREENING METHOD FOR GENES OF BREWING YEAST

Group Art Unit: 1631

Examiner: Not yet assigned

Confirmation No.: 5495

INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a SECOND Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

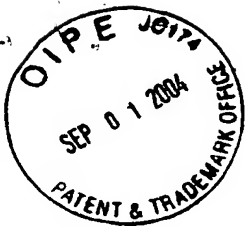
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By


Susan M. Dadio

Registration No. 40,373

Date: September 1, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of |) | |
| Yoshihiro Nakao et al. |) | Group Art Unit: 1631 |
| Application No.: 10/791,791 |) | Examiner: Not yet Assigned |
| Filed: March 4, 2004 |) | Confirmation No.: 5495 |
| For: SCREENING METHOD FOR GENES OF BREWING YEAST |) | |

SECOND INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

U.S. PATENT DOCUMENTS

1. GJERMANSEN et al., U.S. Patent No. 6,326,184, issued December 14, 2001.

NON-PATENT DOCUMENTS

1. JOHANNESSEN, et al., "Differential transcriptional regulation of sulfur assimilation gene homologues in the *Saccharomyces carlsbergensis* yeast species hybrid", Federation of European Microbiological Societies Yeast Research, 2002, Vol. 1, No. 4, pp. 315-322, Elsevier Science B.V., Amsterdam, Holland.

2. MATSUZAKI, "Saccharomyces bayanus MET14 gene for adenosine-5'-phosphosulfate 3'-phosphotransferase", GenBank Database Online, 2000, Database Accession No. AB 04936, XP-002285925.
3. WINZELER, et al., "Genetic Diversity in Yeast Assessed With Whole-Genome Oligonucleotide Arrays," Genetics, 2003, pp. 79-89. Vol. 163, Genetics Society of America Bethesda, Maryland.
4. WODICKA, et al., "Genome-wide expression monitoring in *Saccharomyces cerevisiae*", Nature Biotechnology, 1997, pp. 1359-1367, Vol. 15, Nature America, New York.
5. HANSEN, et al., "Modification of biochemical pathways in industrial yeasts", Journal of Biotechnology, 1996, pp. 1-12, Vol. 49, Elsevier Science, Amsterdam, Holland.
6. LASHKARI, et al., "Yeast microarrays for genome wide parallel genetic and gene expression analysis", Proc. Natl. Acad. Sci. USA, 1997, pp. 13057-13062, Vol. 94, National Academy of Sciences, Washington, D.C.
7. Joubert, et al., "Identification by mass spectrometry of two-dimensional gel electrophoresis-separated proteins extracted from lager brewing yeast", Electrophoresis, 2001, pp. 2969-2982, Vol. 22, Wiley-VCH, Weinheim, Germany.
8. JOHANNESSEN, "Saccharomyces pastorianus adenosine-5'-phosphosulfate kinase (MET14-CA) gene ", GenBank Database Online, 2002, Database Accession No. AY 017216, XP-002285924.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. Also enclosed is a copy of the International Search Report (in English) and The Written Opinion of the International Searching Authority for International Application No. PCT/JP2004/002695. It is noted that the Korch et al. article cited in the enclosed International Search Report was submitted in the First Information Disclosure Statement filed on July 19, 2004.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.


To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date September 1, 2004

By:


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SECOND INFORMATION DISCLOSURE STATEMENT BY APPLICANT

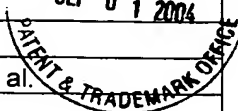
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Sheet 1 of 1

Complete if Known

Application Number 10/791,791
 Filing Date March 4, 2004
 First Named Inventor Yoshihiro Nakao et al.
 Examiner Name Not yet Assigned
 Attorney Docket Number 034100-002

SEP 01 2004

**U.S. PATENT DOCUMENTS**

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
| | 6,326,184 | | Gjermansen et al. | 12/04/2001 |
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FOREIGN PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS | | | | | | |
|-------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|
| | | | | | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
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NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
|-------------------|--|
| | JOHANNESSEN, et al., "Differential transcriptional regulation of sulfur assimilation gene homologues in the <i>Saccharomyces carlsbergensis</i> yeast species hybrid", FEMS Yeast Research, 2002, pp. 315-322, Vol. 1, No. 4, Elsevier Science B.V., Amsterdam, Holland. |
| | MATSUZAKI, "Saccharomyces bayanus MET14 gene for adenosine-5'-phosphosulfate 3'-phosphotransferase, 2000, Abstract, submitted to the EMBL/GenBank/DDBJ databases. |
| | WINZELER, et al., "Genetic Diversity in Yeast Assessed With Whole-Genome Oligonucleotide Arrays, Genetics" 2003, pp. 79-89, Vol. 163, Bethesda, Maryland. |
| | WODICKA, et al., "Genome-wide edprssion monitoring in <i>Saccharomyces cerevisiae</i> ", Nature Biotechnology, 1997, pp. 1359-1367, Vol. 15, Nature America, New York. |
| | HANSEN, et al., "Modification of biochemical pathways in industrial yeasts", Journal of Biotechnology, 1996, pp. 1-12, Vol. 49, Elsevier Science, Amsterdam, Holland. |
| | LASHKARI, et al., "Yeast microarrays for genome wide parallel genetic and gene expression analysis", Proc. Natl. Acad. Sci. USA, 1997, pp. 13057-13062, Vol. 94, National Academy of Sciences, Washington, D.C. |
| | Joubert, et al., "Identification by mass spectrometry of two-dimensional gel electrophoresis-separated proteins extracted from lager brewing yeast", Electrophoresis, Vol. 22, 2001, pp. 2969-2982, Wiley-VCH, Weinheim, Germany. |
| | JOHANNESSEN, "Saccharomyces pastorianus adenosine-5'-phosphosulfate kinase (MET14-CA) gene ", GenBank Database Online, 2002, Database Accession No. AY 017216, XP-002285924. |

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|--------------------|-----------------|
| Examiner Signature | Date Considered |
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.